

House File 407 - Introduced

HOUSE FILE 407

BY FISHER

A BILL FOR

1 An Act relating to 911 emergency telephone service, including
2 how funds deposited in a 911 service fund may be used, the
3 costs associated with providing 911 service, and access to
4 the next generation 911 network.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 34A.2, subsection 5, paragraph d,
2 subparagraph (2), Code 2021, is amended to read as follows:

3 (2) Funds deposited in a 911 service fund are appropriated
4 and shall be used for the payment of costs that are limited
5 to nonrecurring and recurring costs directly attributable to
6 the receipt and disposition of the 911 call. Costs do not
7 include expenditures for any other purpose, and specifically
8 exclude costs associated with reimbursement to originating
9 service providers for providing 911 call delivery service,
10 costs attributable to other emergency services or expenditures
11 for buildings or personnel, except for the costs of personnel
12 for database management and personnel directly associated with
13 addressing.

14 Sec. 2. Section 34A.7, unnumbered paragraph 1, Code 2021,
15 is amended to read as follows:

16 When a 911 service plan is implemented, the costs of
17 providing 911 service within a 911 service area are the
18 responsibility of the joint 911 service board and the member
19 political subdivisions. ~~Costs in excess of the amount raised~~
20 ~~by imposition of the 911 service surcharge provided for~~
21 ~~under subsection 1 shall be paid by the joint 911 service~~
22 ~~board from such revenue sources allocated among the member~~
23 ~~political subdivisions as determined by the joint 911 service~~
24 ~~board. Funding is not limited to the surcharge, and surcharge~~
25 ~~revenues may be supplemented by other permissible local and~~
26 ~~state revenue sources.~~ A joint 911 service board shall not
27 commit a political subdivision to appropriate property tax
28 revenues to fund a 911 service plan without the consent of the
29 political subdivision. A joint 911 service board may approve
30 a 911 service plan, including a funding formula requiring
31 appropriations by participating political subdivisions, subject
32 to the approval of the funding formula by each political
33 subdivision. However, a political subdivision may agree in
34 advance to appropriate property tax revenues or other moneys
35 according to a formula or plan developed by an alternative

1 chapter 28E entity.

2 Sec. 3. Section 34A.7A, subsection 2, paragraph c, Code
3 2021, is amended by striking the paragraph.

4 Sec. 4. Section 34A.8, Code 2021, is amended to read as
5 follows:

6 **34A.8 Local exchange service information — penalty —**
7 **recurring costs.**

8 1. A local exchange service provider shall furnish to the
9 next generation 911 network service provider, designated by
10 the department, all names, addresses, and telephone number
11 information concerning its subscribers which will be served
12 by the next generation 911 network and shall periodically
13 update the local exchange service information. The 911 service
14 provider shall furnish the addresses and telephone number
15 information received from the local exchange service provider
16 to the director for use in the mass notification and emergency
17 messaging system as defined in [section 29C.2](#). ~~The local~~
18 ~~exchange service provider shall receive as compensation for~~
19 ~~the provision of local exchange service information charges~~
20 ~~according to its tariffs on file with and approved by the Iowa~~
21 ~~utilities board. The tariff charges shall be the same whether~~
22 ~~or not the local exchange service provider is designated as the~~
23 ~~next generation 911 network service provider by the department.~~

24 2. a. Subscriber information remains the property of the
25 local exchange service provider.

26 b. The director, program manager, joint 911 service board,
27 local emergency management commission established pursuant
28 to [section 29C.9](#), the designated next generation 911 network
29 service provider, and the public safety answering point, and
30 their agents, employees, and assigns shall use local exchange
31 service information provided by the local exchange service
32 provider solely for the purposes of providing 911 emergency
33 telephone service or providing related mass notification and
34 emergency messaging services as described in [section 29C.17A](#)
35 utilizing only the subscriber's information, and local exchange

1 service information shall otherwise be kept confidential.
2 A person who violates **this section** is guilty of a simple
3 misdemeanor.

4 **c. This chapter** does not require a local exchange service
5 provider to sell or provide its subscriber names, addresses,
6 or telephone number information to any person other than the
7 designated next generation 911 network service provider.

8 3. A local exchange service provider shall pay all costs
9 associated with recurring monthly 911 service.

10 Sec. 5. Section 34A.10, Code 2021, is amended to read as
11 follows:

12 **34A.10 Next generation 911 network access.**

13 On and after July 1, 2017, only the program manager shall
14 approve access to the next generation 911 network. The program
15 manager shall determine the points of ingress and egress for an
16 originating service provider to access the next generation 911
17 network. An originating service provider shall pay all costs
18 associated with connecting to the points of ingress and egress.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill relates to 911 emergency telephone service,
23 including how funds deposited in a 911 service fund may be
24 used, the costs associated with providing 911 service, and
25 access to the next generation 911 network.

26 Current law provides that funds deposited in a 911 service
27 fund shall be used for the payment of costs that are limited to
28 nonrecurring and recurring costs that are directly attributable
29 to the receipt and disposition of a 911 call. The bill
30 provides that these costs do not include costs associated with
31 reimbursement to originating service providers for providing
32 911 call delivery service.

33 The bill strikes from Code section 34A.7 a provision that
34 requires the costs of providing 911 service within a 911
35 service area in excess of the amount raised by the 911 service

1 surcharge to be paid from revenue sources allocated among the
2 member political subdivisions as determined by the joint 911
3 service board. Additionally, the bill strikes a provision that
4 establishes that the funding of the costs of providing 911
5 service within a 911 service area is not limited to the 911
6 service surcharge, and surcharge revenues may be supplemented
7 by other permissible local and state revenue sources.

8 The bill strikes Code section 34A.7A, subsection 2,
9 paragraph "c", which provides that from July 1, 2013, until
10 June 30, 2026, the 911 program manager shall allocate a
11 percentage of the total amount of surcharge generated to
12 wireless carriers to recover their costs to deliver E911 phase
13 1 services.

14 Current law requires a local exchange service provider to
15 furnish to the next generation 911 network service provider
16 certain information related to its subscribers and provides
17 for compensation to the local exchange service provider for
18 providing this information. The bill strikes the provision
19 that requires the local exchange service provider to be
20 compensated for providing this information.

21 The bill provides that a local exchange service provider
22 shall pay all costs associated with recurring monthly 911
23 service.

24 The bill requires the program manager to determine the
25 points of ingress and egress for an originating service
26 provider to access the next generation 911 network.
27 Additionally, the bill requires an originating service provider
28 to pay all costs associated with connecting to the points of
29 ingress and egress.